United Nations A/62/209

General Assembly

Distr.: General
7 August 2007

Original: English

Sixty-second session
Item 68 (a) of the provisional agenda*
Promotion and protection of the rights of children

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the independent expert for the United Nations study on violence against children, Paulo Sérgio Pinheiro, submitted pursuant to General Assembly resolution 61/146.

* A/62/150.

07-45243 (E) 110907

Report of the independent expert for the United Nations study on violence against children

Summary

The present report is submitted pursuant to General Assembly resolution 61/146 and provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study. It also sets out the necessary strategy to further promote the implementation of the study.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 61/146, in which the Assembly invited the independent expert for the United Nations study on violence against children, in cooperation with all relevant partners, to promote the wide dissemination of the study; to support the first year of effective follow-up to its recommendations and submit a report to the Assembly at its sixty-second session on progress made in the initial phase of the follow-up, as well as to anticipate the necessary strategy to further promote the implementation of the study's recommendations.

2. The study exposed the horrendous scale and impact of all forms of violence against children, highlighting the universality and magnitude of the problem. It reflected the clear human rights obligations of Member States to prevent and respond to all forms of violence against children. It also emphasized the need for multifaceted and coordinated solutions, bringing together different perspectives and professional expertise and engaging actively with children themselves.

3. Less than one year after the study's release, its positive impact is evident in all regions of the world. The study succeeded in globally raising awareness of a problem frequently hidden and in providing a structured framework for action. It continues to reach audiences among Governments and civil society in all regions of the world. Not a single country denied the existence of violence against children within its borders, and in all regions the relevance of the recommendations proposed in the study were recognized.

4. Information provided for the present report demonstrates that many relevant measures are already being implemented by States, international organizations and civil society entities. But this process is only in its initial stage. Sustainable results in the protection of children from violence are only achievable through strong and comprehensive initiatives and continuous high-level attention to this dramatic reality. Dedicated leadership and coordination are therefore indispensable at all levels, especially in this initial stage of follow-up.

5. The study has raised the expectations of millions of children in all regions; they want their childhood, free of violence, now. A year is a long time in the life of a child. We cannot keep them waiting.

II. Dissemination of the study

6. The study process resulted in a number of outputs, including the study report submitted to the General Assembly at its sixty-first session,[1] the more detailed *World Report on Violence against Children* and child-friendly publications. In addition, the study process generated a wide variety of research, reflection and other submissions from Member States, institutions and organizations around the world.

7. All the study publications and documents are available on the study website.[2] The United Nations Children's Fund (UNICEF) Innocenti Research Centre is transforming the database of information collected for the preparation of the study

[1] A/61/299.

[2] www.violencestudy.org.

into a website to make this background material more widely available. The Child Rights Information Network continues to disseminate on its website[3] information on preventing and responding to violence against children.

8. Many Governments and organizations have translated the publications resulting from the study process. In addition to the United Nations official languages, the study report is being translated into 12 languages.[4] The *World Report on Violence against Children*, which was launched at the United Nations Office at Geneva on 20 November 2006, is being translated into 12 languages[5] and more translations are planned. The child-friendly publication entitled *Our Right to be Protected from Violence* is being translated into at least 15 languages[6] and is being disseminated. Save the Children has produced *Safe You and Safe Me* specifically for younger children. Translations of this material into 14 languages[7] are being prepared.

9. There has been strong participation worldwide in the preparation of high-profile national launches of the study and other events relating to it. Over 80 national launches have been organized since October 2006.[8] Special theme days were widely used to gain maximum publicity for these events in many countries.[9] These activities provided opportunities for public debate among governmental authorities, practitioners and non-governmental organizations (NGOs), raising awareness and visibility in the media. The independent expert was particularly pleased to note the efforts made to ensure the full involvement of children and young people in many events.

10. Regional networks and bodies have also conducted launches in most regions of the world. The study was presented at a regional event for the American and Caribbean region in Panama in November 2006 and at the Pan American Health

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[3] See www.crin.org/violence/.

[4] Amharic, Bahasa Indonesian, Farsi, Georgian, Italian, Korean, Mongolian, Myanmar, Portuguese, Thai, Uzbek, Vietnamese.

[5] Arabic, Azerbaijani, Bosnian, Chinese, Farsi, French, Georgian, Portuguese, Russian, Spanish, Liberian English, Uzbek.

[6] Amharic, Arabic, Azerbaijani, Chinese, Dutch, Farsi, French, Georgian, German, Kiswahili, Mongolian, Norwegian, Slovak, Spanish, Turkish. The child-friendly version was disseminated by the Government of Germany through the school system. Other Governments intend to do the same.

[7] Amharic, Arabic, Bangla, Bosnian, Dari, French, Hindi, Kiswahili, Nepali, Russian, Serbian, Spanish, Thai, Urdu.

[8] The independent expert participated in national launches in Germany (November 2006), Belgium (November 2006), Colombia (November 2006), Mexico (April 2007) and the Islamic Republic of Iran (May 2007).

[9] For example, many countries in Africa used the platform of 16 June, the Day of the African Child, to publicize the theme of violence against children. 1 June, International Children's Day, was also used in this way by, for example, Albania, Angola, Armenia, Azerbaijan, Belarus, Benin, Bosnia and Herzegovina, Bulgaria, Cambodia, Cape Verde, China, Croatia, Cuba, the Czech Republic, the Democratic People's Republic of Korea, Eritrea, Estonia, Ethiopia, Georgia, Guinea-Bissau, Kazakhstan, Kyrgyzstan, the Lao People's Democratic Republic, Latvia, Lithuania, the Macao Special Administrative Region, Moldova, Mongolia, Montenegro, Mozambique, Papua New Guinea, Poland, Portugal, Serbia, Slovakia, Slovenia, the Russian Federation, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkmenistan, the United Republic of Tanzania, Uruguay, Uzbekistan, Viet Nam and Yemen.

Organization headquarters in Washington, D.C., in March 2007.[10] In October 2006, a launch for East Asia and the Pacific was organized in Bangkok. In January 2007, the study report was launched by the Council of Europe during a session of the Parliamentary Assembly. In May 2007, the regional launch for eastern and southern Africa was hosted by the Government of Kenya. In June 2007, the Government of Egypt and the National Council for Childhood and Motherhood hosted the regional launch of the study report for the Middle East and North Africa during their third regional meeting on violence against children, also launching Arabic translations of all the study publications.[11]

11. A number of other events illustrate the very positive response generated by the study at various levels. In March 2007, the first special thematic meeting of the Human Rights Council was devoted to violence against children and the follow-up to the study. In the interactive dialogue that followed the independent expert's presentation, the representatives of over 20 member States expressed strong commitment to stopping violence against children and support for the conclusions of the study. Furthermore, throughout the high-level segment of the Council's fourth session, dignitaries highlighted activities in their countries to promote and protect the rights of children and to eliminate all forms of violence.

12. In April 2007, the independent expert participated in a thematic discussion on effective crime prevention and criminal justice responses to combat sexual exploitation of children at the sixteenth session of the Commission on Crime Prevention and Criminal Justice.[12] Also in April, he presented the study to the European Parliament, in a full-day hearing on children's rights. The hearing addressed among other topics the recently adopted communication of the European Commission "Towards an EU strategy on the rights of the child",[13] which includes support for the study recommendations. In December 2006, the independent expert participated in a detailed discussion of the study at the International Conference on the Prevention of Violence against Children and Human Security, held in Slovenia under the auspices of the Slovenian chairmanship of the Human Security Network.

13. Some events involved specialized audiences. Soon after the study was launched, the independent expert attended in Washington, D.C., the Juvenile Defender Leadership Summit, a meeting of legal practitioners working with youth in the United States of America. In January 2007, he attended the Milestone Conference on Gender Equality, in Oslo, where discrimination and violence against girls were the focus of discussion.

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[10] The two events involved a wide range of partners including the United Nations Children's Fund (UNICEF), the secretariat of non-governmental organizations (NGOs) supporting the study in the region, the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Caribbean Community and Common Market (CARICOM), the Inter-American Commission on Human Rights, World Vision, Save the Children, Plan International, the United States Centers for Disease Control and Prevention, Defence for Children International, the Ricky Martin Foundation and adolescent representatives.

[11] The meeting was organized in collaboration with the League of Arab States, OHCHR, UNICEF, the World Health Organization (WHO), the Arab Council for Childhood and Development and Save the Children Sweden.

[12] See E/2007/30-E/CN.15/2007/17, chap. II.

[13] http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0367en01.pdf.

III. Progress in implementing the study recommendations

14. The three-year study process served as a catalyst to promote a wide variety of action all over the world. The following section provides an overview of initiatives towards the implementation of the 12 overarching recommendations of the study in the brief follow-up period until July 2007. It is based on responses by Member States to a note verbale sent by OHCHR on behalf of the independent expert[14] and information collected by UNICEF regional and national offices, regional organizations and other United Nations and civil society entities supporting the study. The independent expert expresses his gratitude to all those who provided information on follow-up activities.

15. While several of the programmes and interventions referred to in the present report have been planned and implemented by United Nations agencies and non-governmental organizations, the independent expert reiterates that the primary obligation to prevent, respond to and redress violence against children rests with Member States.

A. Strengthening national and local commitment and action

16. Since the study report was issued, a number of countries have appointed national focal points on violence against children. There are many efforts under way to improve coordination among existing or potential partners and stakeholders at the country level, including through establishing or strengthening networks or committees to address child rights and violence against children. The independent expert has received information that at least 10 countries are establishing or strengthening networks through national advisory bodies,[15] including by drafting legislation to establish national commissions or councils for children, or broadening the mandates of existing mechanisms to cover violence against children.

17. National planning for preventing and responding to violence against children has been identified as a priority for 2007 in at least 47 countries, according to the information received from UNICEF offices. In some cases, "stand alone" plans

[14] As of 27 July 2007, the following States had responded to the note verbale: Belgium, Lebanon, Norway, Monaco, Tunisia and Uruguay.

[15] India, Kiribati, the Netherlands, the Philippines, Sierra Leone and Zimbabwe. An interesting process in Bolivia involves intersectoral coordination through a variety of intersectoral round tables at various levels which address a range of themes, including violence against children. In Belgium, the National Commission for the Rights of the Child is in place since 2007. It is a permanent structure with representatives of the executive and judiciary and federal, regional and local authorities, as well as of civil society. In Uruguay, the System of Protection of Childhood and Adolescence from Violence (Sistema de Protección a la Infancia y la Adolescencia contra la Violencia (SIPIAV) was put in place in April 2007 as a response to the study recommendations. SIPIAV is chaired by the Child and Adolescent Institute and includes intersectoral representation. SIPIAV focuses on training and awareness-raising, protection assistance and legislative reform.

specifically dealing with violence against children are being developed,[16] while in others existing planning processes are being revised to incorporate specific elements arising from the study recommendations. Some countries are focusing on violence in a particular sector, such as violence in schools,[17] while other countries are working towards an integrated multisector response.[18]

B. Prohibiting all violence against children

18. A number of countries are formulating new laws or amending existing laws to prohibit violence against children.[19] Some legal reform efforts have been comprehensive in their coverage of violence against children, while others have focused on specific forms of violence, settings or sectors, such as juvenile justice.[20] At least seven countries in eastern and southern Africa have passed or drafted new legislation with a specific focus on sexual violence,[21] while at least five are reforming their juvenile justice laws to make detention a measure of last resort.[22] In some cases the judiciary has interpreted existing legislation reflecting the study recommendations.[23] In terms of harmful traditional and social practices, such as scarification and female genital mutilation, a number of countries have made changes to the law to increase the protection of children, especially girls.[24]

19. Only 19 States globally have legal instruments prohibiting all forms of corporal punishment, but many others are committed to improving their legislation. Between 2005, the year of the regional consultations, and July 2007, at least three States had completed the prohibition of corporal punishment in all settings,

[16] For example, Lebanon indicated that in 2006 a mechanism was put in place for the formulation of an action plan on the situation of children with representatives of the Government and civil society. Tunisia pointed out that a national committee with representatives of various ministries had been established to elaborate a national action plan on violence against children. The plan will address several issues, including strengthening the legal framework, promoting the participation of children, awareness-raising and strengthening of research.

[17] In Turkey the National Strategy and Action Plan for Preventing and Reducing Violence in Educational Settings (2006-2011) was launched in October 2006 and an intersectoral steering committee was established to coordinate, monitor and evaluate progress.

[18] In Albania, Bulgaria, Moldova and Tajikistan, and the former Yugoslav Republic of Macedonia, UNICEF has been developing tools for Governments to assess their performance with regard to identifying, reporting and responding to violence against children. This "capacity gap analysis" serves to reveal the shortcomings within different structures and services responsible for child protection and provides a basis for the design of specific measures to link up existing structures and upgrade the mandates and competencies of professionals.

[19] In Bosnia and Herzegovina, the Government is drafting sub-laws and rule books (i.e., protocols) for a new Law on Protection from Family Violence, which was endorsed in 2006. In China, the Government launched the revised Child Protection Law on 1 June 2007. In Georgia, a government commission is preparing recommendations in support of the State plan of action for deinstitutionalization and defence of the rights of the child, which will form the basis for future legislation.

[20] Lebanon indicated that a committee had been established to consider amending the juvenile justice laws, including raising the age of criminal responsibility.

[21] Burundi, Ethiopia, Kenya, Madagascar, South Africa, Swaziland and Zambia.

[22] Ethiopia, Kenya, Madagascar, Mozambique and Zimbabwe.

[23] For example, in Nicaragua the Supreme Court is finalizing a protocol to ensure that incarceration of juvenile offenders is used only as a measure of last resort.

[24] For example Eritrea, Egypt and the Sudan.

including the family.[25] During the same period, there has been much progress in challenging violent and humiliating punishment in schools, through both law reform and the training of teachers.[26] Also in penal systems, violent sentences and punishment have been abolished in a number of countries.[27] One of the elements of the Council of Europe's programme "Building a Europe with and for children" is working towards the legal prohibition and elimination of corporal punishment in all settings in all 47 member States of the Council of Europe.

20. Some regional initiatives are noteworthy. A review of legal frameworks in relation to the Convention on the Rights of the Child and other international standards for children was completed in 18 countries in eastern and southern Africa in May 2007. It will contribute to the review of the African Union Declaration and Plan of Action on the African Common Position on Children — An Africa Fit for Children, scheduled for September 2007. In Europe, in July 2007, the Committee of Ministers of the Council of Europe adopted the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, with the aim of establishing a harmonized and effective legal framework across the region.

21. The Inter-Parliamentary Union (IPU) and UNICEF produced a handbook for parliamentarians entitled "Eliminating violence against children", which was launched at the IPU Assembly in Indonesia in May 2007. The handbook is designed to promote active and effective follow-up to the study, identifying legal reforms to protect children better and suggesting other possible parliamentary initiatives relating to the elimination of violence, such as awareness-raising and promoting the mobilization of resources.[28]

C. Prioritizing prevention

22. In some countries, action plans and programmes for the prevention of violence have been launched.[29] There have been some examples of efforts to promote better

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[25] In a welcome development, Greece, the Netherlands and New Zealand prohibited corporal punishment in all settings. If others which have publicly committed themselves to full reform carry it through, soon 41 States, more than one fifth of the Member States of the United Nations, will have prohibited corporal punishment in all settings. In Slovenia and South Africa, draft proposals for amending legislation on children include removing the traditional defence of "reasonable chastisement" and thus impose complete prohibition in all settings. In Canada, a Standing Senate Committee on Human Rights issued a report in April 2007 proposing the repeal of section 43 of the Criminal Code of Canada, which justifies the use of force against children for correction. In Latin America, Venezuela and Costa Rica are near to achieving full prohibition and four more States, including Brazil, have parliamentary discussions in progress.

[26] For example, in Mongolia, Thailand and Tamil Nadu province in India.

[27] Examples are Afghanistan, Fiji, the Philippines, Saint Lucia and Sri Lanka.

[28] The handbook has been translated into Azerbaijani, Farsi, Russian and Turkish. Other translations are planned.

[29] In Costa Rica, the Ministry of Justice is launching the National Plan for the Prevention of Violence and Promotion of Social Peace in 2007. In Peru, in 2006, the Ministry for Women and Social Development started to implement a programme called "State and civil society against violence, sexual abuse and exploitation of children and adolescents" in which prevention is one of three focus areas.

parenting practices as a means to prevent violence against children.[30] Some countries are disseminating alternatives to physical punishment and promoting a harmonious family environment, positive discipline and an understanding of child development and children's rights.[31] Some of the most visible progress in respect to prevention has been within the education sector. The Caribbean region is currently scaling up the "Health and family life education in schools" programme, which includes violence prevention, partly through capacity-building for teachers.[32]

23. During the past five years, the prevention of violence has been the focus of a number of other initiatives in the health sector, notably the Global Campaign for Violence Prevention,[33] which has recently been able to link up with the study process. Through the Campaign, over 100 countries have officially appointed health ministry focal persons for the prevention of violence and more than 25 countries have substantive violence prevention policies and programmes in place. The World Health Organization (WHO) and the International Society for Prevention of Child Abuse and Neglect published *Preventing Child Maltreatment: a Guide to Taking Action and Generating Evidence*[34] in 2006 to assist countries to design and deliver programmes for the prevention of child maltreatment by parents and caregivers. The guide provides technical advice for professionals on how to measure the extent of child maltreatment and its consequences, and how to design, implement and evaluate prevention programmes and services.

24. Beginning in 2006, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has organized a series of expert seminars on preventing violence in schools, in the context of the study follow-up. As part of regional peace education efforts, UNESCO is collaborating with Central American countries on an intersectoral project on "Youth development and prevention of violence". The International Labour Organization (ILO) continuously emphasizes formal and non-formal educational interventions as critical in the prevention of child labour and rehabilitation of former child workers.

D. Promoting non-violent values and awareness-raising

25. Efforts to promote non-violent and human rights values include the large-scale government- and non-governmental organization-led public awareness-raising campaigns that are being implemented in several countries.[35] They have covered such issues as replacing corporal punishment with positive, non-violent forms of

[30] In Belgium, the Government of the French Community approved a plan of action to support parenting and promoting the optimum utilization of available services in relevant sectors, such as the health, education, sport and culture sectors.

[31] For example, Jordan, the occupied Palestinian territories, the Syrian Arab Republic and Turkey.

[32] This initiative is supported by the Caribbean Community and Common Market (CARICOM).

[33] www.who.int/violence_injury_prevention/violence/global_campaign/en/.

[34] World Health Organization, Geneva, 2006.

[35] For example, Armenia, Australia, Egypt, Guyana, Mexico and Moldova. Through its new campaign against corporal punishment, the Council of Europe is seeking implementation of its recommendation on policies to support positive parenting. The Syrian Arab Republic is developing a communications strategy on violence against children, while Papua New Guinea and Viet Nam have both conducted public awareness campaigns on violence against children. In Lebanon a national campaign for the protection of children from violence ("Their rights are our duties") was launched.

discipline, and violence in the family,[36] schools[37] and the media.[38] National human rights institutions have also undertaken initiatives to raise awareness about violence against children in specific settings.[39]

26. The Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNESCO, in cooperation with other partners, are continuing to support efforts to include human rights in the educational system at the national,[40] regional and international levels through the World Programme for Human Rights Education (2005-ongoing). The Plan of Action for its first phase (2005-2007) focuses on the integration of human rights education into national school systems.[41] The Plan stresses that human rights should not only be integrated into educational policies, processes and tools, but should also be practised in the environment in which education takes place.

E. Enhancing the capacity of all who work with and for children

27. Effort has been devoted to training a wide range of professionals and staff in relevant sectors, including health, education, justice and social welfare. Such training appears to be oriented more towards responding to violence than preventing it and some sectors, such as education, seem to be better covered than others, for example care institutions, justice settings and making communities safer for children and young people.

28. Comprehensive capacity-building activities in educational settings have been carried out in some countries, as well as the training of teachers in positive forms of discipline.[42] Some progress has been reported in other areas, including in developing guidelines and codes of conduct for the early identification and referral of cases of violence against children for carers and relevant professional groups, and

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[36] For example, in Lebanon.

[37] In Croatia, the violence prevention component in an existing "safe environment in schools" is being scaled up. In the Republic of Korea, the National Association for Countermeasures against School Violence is focusing on preventing violence among students.

[38] In Belgium, on 25 May 2007, the Flemish Government approved a code of conduct for commercial advertisements addressed to children. In Lebanon, television programmes on violence against children have been broadcast.

[39] In September 2006, the Human Rights Commission of South Africa convened public hearings in Cape Town on school-based violence.

[40] For example, OHCHR promoted activities in Angola, Burundi, Colombia, Guatemala, Guinea-Bissau, Mauritius, Mexico, the Occupied Palestinian Territory, Tajikistan, Timor-Leste and Togo.

[41] Activities undertaken by OHCHR in the context of the World Programme are presented in the relevant report of the High Commissioner for Human Rights to the Human Rights Council (A/HRC/4/85).

[42] UNESCO is supporting pre-service and in-service training of teachers on positive discipline in the classroom in the Asian and Pacific region. The training and related materials are part of a larger UNESCO publication, *Embracing Diversity: Toolkit for Creating Inclusive, Learning-friendly Environments* (UNESCO, Bangkok, 2004). The African Network for the Prevention and Protection against Child Abuse and Neglect and Save the Children Sweden have jointly initiated a project to promote positive, non-violent forms of discipline in schools and among communities and parents. The first phase will involve the development of a manual on positive discipline for trainers, the use of educational television and the integration of positive discipline into the training curriculum for teachers. Training material and a methodology to reduce violence in schools have also been developed in 2007 by the Council of Europe.

related training.[43] Training for key sectors, such as education, health, the police and the media, has been supported by the International Programme on the Elimination of Child Labour (IPEC) in some countries in Latin America.[44]

F. Providing recovery and social reintegration services

29. Efforts are being made to strengthen existing recovery and social reintegration services through better coordination of existing services and modernizing methods. For example, "individual case management" is being adopted as a good practice model for work with families and children at risk.[45] This approach requires services to comprehensively assess a child's situation, develop plans that are tailored to the individual's needs, refer children to services that best respond to each individual case and monitor the outcomes and, if necessary, use mobile outreach teams for remote areas. Some countries have adopted the "case conferencing" method, which improves case-by-case decision-making through the involvement of all professionals who know the situation of the child, including social workers, police officers, teachers and health professionals.

G. Ensuring the participation of children

30. As in the preparation of the study, children and young people were actively involved in consultations, launch events and dissemination activities. This has raised awareness of the obligation to support and facilitate children's participation. The establishment of children's parliaments continues to be used as one way of supporting the participation of children. Children and youth unions or clubs have also been put in place to promote children's participation in actions aimed at protecting their rights.[46]

31. Activities supporting the participation of children within the educational environment as part of the "child-friendly and healthy schools initiative" endorsed by the United Nations Children's Fund (UNICEF), UNESCO, WHO and the World Bank were reported in many countries.[47] The participation of children and young

[43] In Armenia, professional guidelines for the early identification and referral of cases of violence against children have been developed. A code of conduct on these matters has been included in the curriculum of the Police Academy. In the Islamic Republic of Iran, the Ministry of Health is also drafting codes of conduct for relevant professional groups. In Serbia, a recently adopted special protocol on the prevention and early identification of violence against children is being translated into new mandates for professionals in the social welfare, health, education and law enforcement services.

[44] In Brazil, the Ministries of Education and Health, in partnership with IPEC/ILO have created training material for educators and health professionals dealing with child labour issues. In addition, care protocols have been developed in Costa Rica, Guatemala, Nicaragua and Panama.

[45] Recent such initiatives were reported in Bosnia and Herzegovina, Croatia, Ethiopia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia. Ethiopia has recently introduced integrated child-friendly systems into government structures for the protection of children and for children in conflict with the law.

[46] In Georgia, new legislation has authorized the creation of children and youth unions, non-profit legal entities supporting the protection of children's rights.

[47] For example, Angola, Argentina, Bolivia, Cambodia, Costa Rica, Malawi, Mozambique, Rwanda, Sierra Leone, South Africa, Tajikistan, Thailand, Turkmenistan, Uzbekistan and Zimbabwe.

people was also recognized as important in research and information-gathering.[48] ILO constituencies, including civil society organizations, have mainstreamed the participation of working children for the implementation of policies and programmes for their benefit.[49]

32. Save the Children continued to lead a number of initiatives in all regions of the world to promote meaningful child participation, through direct support to child-led organizations, awareness-raising, training activities, and the development and dissemination of publications on this subject. Save the Children has also published standards and methods for the promotion of children and young people's participation in various activities, including decision-making processes and research.[50]

H. Creating accessible and child-friendly reporting systems and services

33. Initiatives designed to improve reporting mechanisms are an integral part of child protection systems. In some countries, inherent weaknesses of the system are being addressed through the reform of local statutory services,[51] while in others, special police units have been established to deal with domestic violence, child protection and sexual offences.[52] In some cases complaints can be submitted in an easily accessible and child-friendly manner through national human rights institutions or child rights institutions.[53] There are encouraging examples of mechanisms in schools to inform children about their rights and duties, and to allow them to report acts of violence.[54]

34. Another relevant initiative is the creation of children's helplines, which are dedicated telephone lines or other channels for children and adults to report or discuss concerns or actual incidents. Child Helpline International reported that, as of July 2007, 98 child helplines had been established in 87 countries and, in another 23 countries, such helplines were in the process of being established. In follow-up to the study, an evaluation of the use and impact of helplines worldwide is being prepared.

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[48] Brazil has recently completed a "Voice of adolescents" project. This is a participative survey of young people aged 15 to 18 which, inter alia, revealed that violence, racism and corruption were among their principle concerns. www.unicef.org/brazil/pesquisa.pdf.

[49] Children's clubs and youth clubs have been established by employers' and workers' organizations under IPEC projects to ensure participation of working children for the implementation of policies and programmes for their benefit. ILO has also developed and is seeking to disseminate the participatory methodology "Supporting children's rights through education, arts and the media".

[50] International Save the Children Alliance, *So You Want To Consult With Children — A Toolkit of Good Practice*, 2003 and *Practice Standards in Children's Participation*, 2005 at www.savethechildren.net/alliance/resources/publications.html participation.

[51] In Bosnia and Herzegovina, Croatia, Montenegro, Serbia and The former Yugoslav Republic of Macedonia, efforts are under way to transform local statutory services, more specifically "centres for social work", by modernizing and strengthening their mandates and methods.

[52] Monaco has put in place a police unit specialized in receiving complaints from children.

[53] For example, the Child Rights Commissioner in Belgium allows for complaints to be submitted by telephone or through the website.

[54] For example, in Belgium, the Agence des services d'enseignement provides this service.

I. Ensuring accountability and ending the impunity of perpetrators

35. Some of the activities reported under previous recommendations are of direct relevance to the efforts to address impunity, in particular all legislative reforms and activities aimed at creating accessible complaints mechanisms. Other relevant initiatives which were reported are those aimed at providing legal counselling during judicial proceedings and at establishing networks that cooperate with the police and judicial authorities in cases of violence against children.[55]

36. Measures have been taken to establish and/or improve the functioning of internal accountability mechanisms of service providers and professions working in close contact with children. In south-eastern Europe, UNICEF organized a consultation involving representatives and inputs (assessments, documented practices and fact sheets) from 10 countries and areas[56] A key element of the consultation was the upgrading of accountability, through, for example, the articulation of standards and the establishment of professional codes of conduct, supervisory mechanisms and inspections.

37. Efforts to ensure the protection of child victims in contact with justice systems[57] and to establish mobile courts in order to enforce child labour legislation in a child-friendly manner[58] were reported. The United Nations Office on Drugs and Crime (UNODC) continues to promote the dissemination and implementation of the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,[59] including through a child-friendly version of these guidelines.

J. Addressing the gender dimension of violence against children

38. A number of countries have given priority to combating sexual violence against children,[60] devoting particular attention to the situation of girls in their planning processes. Very little evidence exists of efforts to involve boys and men in prevention and in developing responses, or to address the specific risks of victimization faced by them.[61]

39. In accordance with its multi-year programme of work for the period 2007-2009, the Commission on the Status of Women considered "the elimination of all

[55] In Belgium, a private and independent organization, Child Focus, provides active support in investigations of disappearances, kidnapping and sexual exploitation of children and cooperates with the federal police on cases of trafficking of children.

[56] Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Montenegro, Romania, Serbia, The former Yugoslav Republic of Macedonia, Turkey and the United Nations administered province of Kosovo. The consultation was held in Bulgaria in July 2007 on "Reform of the child care system: taking stock and accelerating action".

[57] In Nicaragua, the Supreme Court of Justice has developed a protocol of attention to victims of sexual violence, which emphasizes their right not to be revictimized by the penal system.

[58] In India, ILO is working in the Andhra region on a technical cooperation project supporting mobile courts established in order to enforce child labour legislation in a child-friendly manner.

[59] Economic and Social Council resolution 2005/20 of 22 July 2005, annex.

[60] For example, in Liberia, the Ministry of Gender and Development has created a National Plan on Gender-Based Violence, which gives high priority to protecting children against sexual violence.

[61] In Côte d'Ivoire, Save the Children is supporting the training of men and boys on issues of gender, sexuality and ending violence against children.

forms of discrimination and violence against the girl child" as its priority theme. In its agreed conclusions, the Commission urged Governments to take a number of actions in the areas of norms and policies, poverty, education and training, the elimination of gender stereotypes, the promotion of health, the regulation of child labour, the protection of girls affected by armed conflict, the prevention, prohibition and elimination of violence and discrimination against the girl child, trafficking, girls in high-risk situations, the protection of girls in the context of migration, empowering girls, the participation of girls, gender mainstreaming and data collection.

40. UNICEF, UNESCO and other United Nations entities continue to support initiatives to ensure full and equal access to, and achievement in, basic education, particularly for girls.[62] UNICEF is also producing an analysis of the situation regarding violence against girls and women and what can be done, with specific country examples. The UNESCO Regional Bureau for Education in Africa is integrating issues relating to gender-based violence into the training of trainers. ILO-IPEC initiatives to prevent the exposure of girls to child labour through education also include training on gender issues for staff working with children.

K. Developing and implementing systematic national data collection and research

41. Research has been undertaken on violence against children in different settings and situations. Efforts to improve the gathering and analysis of data were reported, as well as to assess the existing legal framework vis-à-vis international human rights norms and standards relating to children.[63] Violence in educational settings is receiving considerable attention from Governments.[64] Links are being made

[62] See the United Nations Girls Education Initiative at www.ungei.org.

[63] Following up on its large-scale study on child abuse, which was released in 2006, China is undertaking additional studies on violence against children in the street, and plans a study of violence against children in institutions. In Gabon, a national monitoring system on violence against children was established in March 2007 under the leadership of the Ministry for Child Protection and the Family. In India, the Ministry of Women and Child Development released its National Study on Child Abuse in April 2007. Indonesia, Papua New Guinea and the Philippines have all conducted thematic and situational assessments on violence against children. The Ministry of Children and Equality of Norway has initiated and is financing a survey-based research project on violence against children. One of the main tasks of the Belgian National Commission for the Rights of the Child is to take necessary measures to coordinate the gathering and analysis of data to evaluate the situation of children in the country. Lebanon provided the information that studies had been undertaken on the situation of children in institutions and the situation of children in alternative care. In Maldives, UNICEF and the Ministry of Gender and the Family are undertaking a quantitative and qualitative study of violence against children, including sexual abuse and exploitation. The National Commission on Human Rights and Fundamental Freedoms of Niger prepared a study on the causes of forced labour of children and all other discriminatory practices. Uruguay, as part of the Sistema Integral de Protección a la Infancia y la Adolescencia contra la Violencia (SIPIAV), is planning to create a data-collection system on violence against children.

[64] A national study on violence against children in school was started in Chad in 2007. In Kosovo, a study on violence in schools has informed an interministerial strategy to prevent and address bullying in schools.

between violence against children and other issues such as HIV/AIDS.[65] Research on human trafficking is beginning to gain momentum, reflecting the high profile this has taken on among international agencies, non-governmental organizations and donors.[66]

42. UNICEF and WHO are working together to improve international indicators of violence against children and to extend large-scale data collection. UNICEF is collecting data on seven child protection issues in its Multiple Indicator Cluster Survey:[67] child marriage, birth registration, child labour, child discipline, attitudes towards domestic violence, child disability and female genital mutilation/cutting. The Multiple Indicator Cluster Survey is being conducted in more than 50 countries. UNICEF has developed a participatory assessment tool on violence against children and, together with UNODC, a *Manual for the Measurement of Juvenile Justice Indicators*,[68] which introduces 15 global juvenile justice indicators. The UNICEF Innocenti Research Centre is preparing global studies on children with disabilities, on child trafficking and on violence and sport.

43. In Latin America, the Inter-American Development Bank, UNICEF and the Organization of American States established an alliance in 2006 to work towards ensuring universal birth registration for children by 2015. Also, Latin America, UNICEF and ILO are developing, at the request of Governments in the region, a system to follow up on international commitments related to combating sexual exploitation signed by States in the region. This system is composed of a set of 19 indicators with information from 2001 to 2006.

L. Strengthening international commitment

44. Developments in standard setting have been encouraging. The independent expert welcomed the adoption by the General Assembly, on 13 December 2006, of the Convention on the Rights of Persons with Disabilities and its Optional Protocol. The International Convention for the Protection of All Persons from Enforced Disappearance was adopted by the General Assembly on 20 December 2006. These instruments provide specific measures to protect children. The Declaration on the Rights of Indigenous Peoples, approved by the Human Rights Council on 29 June 2006 also touches upon a number of crucial issues to ensure the protection of indigenous children from violence.

45. Withdrawal of reservations to human rights treaties is a good indication of States' commitment to providing children full protection from violence. In the reporting period, a few States withdrew reservations to the Convention on the Rights of the Child and to its Optional Protocol on the sale of children, child prostitution

[65] ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for sexual purposes) has undertaken research on the linkages between the commercial sexual exploitation of children and HIV/AIDS in Ethiopia, the Gambia, Kenya, Togo, Uganda and Zambia.

[66] The South Asia Coordinating Group on Action against Violence (SACG) is currently developing indicators and establishing a system to monitor violence against women and children in the region, including trafficking as one of its focus areas. In Central Asia, a four-country study is under way in Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan to explore the extent of and responses to child trafficking, both internal and external to the region.

[67] For more information, go to www.childinfo.org.

[68] United Nations publication, Sales No. 07.V.7.

and child pornography.[69] A number of States also ratified or acceded to the Optional Protocol.[70]

46. Through its resolution 2007/5.1 the Human Rights Council established a universal periodic review mechanism with the objective of reviewing States' fulfilment of their human rights obligations and commitments and of assessing positive developments and challenges. This mechanism should provide a forum for the discussion of progress made and obstacles encountered in protecting children from violence.

47. The Committee on the Rights of the Child has highlighted the recommendations of the study in interactive dialogue with States parties to the Convention on the Rights of the Child and in its concluding observations. A standard paragraph has been introduced into the concluding observations of the Committee recommending that the State party take all necessary measures for the implementation of the overarching and specific recommendations contained in the study report, while taking into account the recommendations of the relevant regional consultations. OHCHR and other partners continue to promote subregional gatherings on the implementation of the concluding observations of the Committee, including the study recommendations. A subregional meeting for Central America was held in October 2006. One for Western Africa is planned for November 2007.

48. As a follow-up to the Committee on the Rights of the Child's day of discussion on the situation of children without parental care, the Government of Brazil is promoting the development of United Nations guidelines for the protection of children without parental care. A draft set of guidelines was developed following an expert consultation in Brasilia attended by participants from over 40 countries. These guidelines will address issues such as the legal responsibilities in situations of alternative care, the necessary inspection and monitoring mechanisms, and strategies for family reintegration, all directly related to the protection of children from violence.

IV. Regional and international follow-up strategies

49. Various formal and informal bodies have been set up in the regions during the study process, including some working with regional structures such as the African Union, the Council of Europe, the European Union institutions, the League of Arab States and the South Asia Association for Regional Cooperation and with human rights institutions such as the Inter-American Commission on Human Rights of the

[69] See HRI/MC/2007/5 (Syrian Arab Republic, arts. 20 and 21 of the Convention and art. 3, paras. 1 (a) (ii) and 3, para. 5 of the Optional Protocol on the Sale of Children; Viet Nam, art. 5 of the Optional Protocol). Andorra withdrew reservations to articles 7 and 8, Morocco withdrew its reservation to article 14 and Switzerland withdrew its reservation to articles 7.2 and 40.2 of the Convention. Furthermore, in the case of Mali, the Committee on the Rights of the Child noted that the enactment of new legislation had rendered the reservation to article 16 of the Convention invalid (CRC/C/MLI/CO/2, para. 9). In the case of Malaysia, the Committee noted the efforts to review reservations to articles 1, 2, 7, 13, 14, 15, 28, para. 1 (a) and 37 of the Convention (CRC/C/MYS/CO/1, para. 11).

[70] Algeria, Australia, Brunei Darussalam, the Comoros, the Dominican Republic, Kazakhstan, Mauritania, Moldova, Sweden and Vanuatu.

Organization of American States.[71] These networks will continue to be closely involved in the implementation of the study recommendations.

50. The Council of Europe continues to promote follow-up to the study through its programme "Building a Europe for and with children". The Council will convene a high-level expert meeting in September 2007 on the challenge of improving children's access to international and regional human rights mechanisms and will address the same issue at the 28th Conference of European Ministers of Justice in October 2007. The Inter-American Commission on Human Rights will address the recommendations of the study in developing a regional report on the adoption of security measures and the respect of human rights. The League of Arab States and the Steering Committee established for the study's Middle East and North Africa regional consultation have committed themselves to promoting another regional intergovernmental meeting, in Lebanon in 2008.

51. The follow-up to the study recommendations is central for all United Nations entities involved in the study. In addition to the examples provided in the previous sections, a brief summary of the follow-up strategies of relevant United Nations entities is provided below.

52. Within ILO, IPEC will take the lead on work related to the recommendations of the study. ILO will continue to promote the ratification and implementation of ILO Conventions Nos. 138 (on the minimum age for employment) and 182 (on combating the worst forms of child labour). These conventions have a particular importance in ensuring that national plans, policies and programmes tackle child labour and its worst forms, for example, commercial sexual exploitation, slave-like practices, forced and bonded labour, trafficking and hazardous forms of child labour. One focus will be on developing programmes for children in domestic labour and in particular on finding ways to organize and represent child domestic labourers through workers' organizations, and to involve employers' and workers' organizations in combating discrimination and violence against these children.

53. OHCHR will continue to raise awareness about the study and to promote the implementation of its recommendations through the entire array of its activities. OHCHR will work to mainstream the study recommendations into the work of the United Nations human rights treaty bodies and special procedures and to encourage these mechanisms to monitor and report on the situation of violence against children, including emerging trends. OHCHR will continue to promote the implementation of the study through the work of its field presences and through efforts to develop policy planning and programming tools to facilitate the implementation of the recommendations of the study by all relevant stakeholders. OHCHR will promote research on thematic issues relating to violence against children, including through expert meetings, seminars and work with existing human rights mechanisms. Promotion of the exchange of information/good practices, including through supporting regional and national meetings, will be another area of action.

[71] For example, the South Asia Forum was established at the ministerial level as a result of the regional consultation of 2005. In the Middle East and North Africa, the planning group for the regional consultation has expanded to include government representatives and has facilitated a number of follow-up actions to implement the recommendations of the study.

54. UNESCO will focus on building an ethical, intellectual and educational defence against violence against children. Recent intersectoral consultations hosted by UNESCO have identified concrete violence prevention strategies in schools, such as promoting data collection and coordination; awareness-raising; advocacy; and the sharing of good practices. UNESCO also promotes school reform and the introduction of policies and curricula that promote non-violent responses. For example, UNESCO will continue its work on preventing and responding to school-related gender-based violence in Africa. In 2007, national studies will be undertaken on gender-based violence, followed by national workshops. UNESCO will also continue working towards the elimination of corporal punishment from the educational environment by raising awareness of non-violent forms of discipline.

55. The Office of the United Nations High Commissioner for Refugees (UNHCR) has prioritized a focus on addressing violence in educational settings, which includes sexual and gender-based violence, corporal punishment and peer-to-peer violence. In partnership with other organizations, UNHCR will undertake initiatives promoting safe school environments to ensure that displaced children can attend school in safety and have access to child-friendly and rights-based learning spaces. In 2007, UNHCR has also initiated an independent global evaluation of its efforts to prevent and respond to sexual and gender-based violence in situations of forced displacement. The evaluation will include a focus on the prevention and response to sexual and gender-based violence relating to children and will integrate the recommendations of the study.

56. Child protection is an integral component of the UNICEF contribution to the fulfilment of the United Nations Millennium Declaration and the Millennium Development Goals, and has become a priority of UNICEF country programmes since 2002. Support to the study has therefore been central to the work of UNICEF. As UNICEF develops the Child Protection Supporting Strategy, the follow-up to the study emerges as a key strategic priority. UNICEF will continue to chair the Inter-Agency Group on Violence against Children. In partnership with prominent international organizations, such as Save the Children, IPU and Religions for Peace, UNICEF will continue to work to disseminate the study, related policy and advocacy guides, manuals and tools. UNICEF is also committed to strengthening efforts to promote social change in order to end harmful practices and female genital mutilation/cutting, in the context of the coordinated strategy for abandonment of female genital mutilation/cutting in one generation, and will continue to support the development and implementation of key policy standards, such as United Nations guidelines for children without parental care and the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. Through collaborative efforts and partnerships with other United Nations agencies, donors, bilateral agencies and civil society organizations, UNICEF is also engaged in developing initiatives to provide substantive support for regional and country-level activities to implement the recommendations of the study, while promoting the full engagement of key sectors, such as education, health, justice and social welfare.

57. UNODC will continue its activities in three main areas related to the study: drugs trafficking and abuse and its impact on children; trafficking in children; and children in the criminal justice system. UNODC will mainstream issues relating to violence against children into its general work on drugs, crime and terrorism. Its recently adopted strategy for the period 2008-2011 contains specific components relating to juvenile justice and victims of crime, in particular children. UNODC is

engaged in developing new tools in the area of children in conflict with the law: the joint UNODC/UNICEF *Handbook for the Measurement of Juvenile Justice Indicators*[68] is available and a new handbook on diversion, alternatives and restorative justice for children in conflict with the law will be developed. Increased technical assistance to Member States is planned to improve the treatment of children in conflict with the law and reduce the use of detention for children.

58. WHO will continue to follow up on the study recommendations in the context of ongoing work on violence prevention and its expertise in research and data collection. Through the WHO-led Violence Prevention Alliance and a network of Ministry of Health focal points for violence prevention, WHO will continue to foster a strong network of Governments, international agencies and private foundations committed to supporting a scientific approach to preventing violence. It will continue to support countries to improve information relating to violence against children, develop national violence prevention policies, build the capacity of health professionals to address violence and create systems for the provision of medico-legal services and emergency trauma care. WHO is also exploring opportunities to incorporate the issue of violence against children to a greater extent in its existing work on child rights, particularly through working with Member States to improve reporting to the Committee on the Rights of the Child and through child rights training for health professionals. With UNICEF, WHO has developed a project proposal that, if funded, will do much to ensure substantive support for country- and regional-level activities around four recommendations of central relevance to both organizations.

59. NGOs have formed a new international advisory council specifically to support strong and effective follow-up to the study. The primary purpose of the NGO Advisory Council is to encourage and maintain NGO involvement at the national, regional and international levels in follow-up advocacy with Governments, United Nations agencies and others for full implementation of the study recommendations. It has been very active in meeting with Governments about the study process and the necessary follow-up, particularly at the international level.[72]

V. Conclusions

60. **The implementation of the study recommendations is at a very early stage. The study process has already catalysed action in all regions, in particular through a participatory process of regional consultations. But the independent expert emphasizes that this is just the beginning if we are to fulfil our obligations to children.**

61. **The independent expert reiterates that reactive and fragmented efforts, insufficiently funded and focusing narrowly on symptoms and consequences of violence, remain a threat to sustainability and long-term success in the**

[72] The Council has 18 members: nine representatives of international NGOs and nine members selected at the regional level from national and regional NGOs. The nine international NGOs represented are the Child Rights Information Network, Defence for Children International, ECPAT, the Global Initiative to End All Corporal Punishment of Children, Human Rights Watch, the World Organization Against Torture (OMCT), Plan International, the International Save the Children Alliance and World Vision.

protection of children from violence. Inadequate implementation of legal frameworks also limits progress.

62. The study succeeded in further emphasizing that all violence against children is preventable, and Member States repeatedly voiced support for preventive strategies. However, too few Governments and organizations actually give priority to preventive efforts by investing in the infrastructure, and providing the support, for long-term public policies to systematically prevent violence against children. For example, little effort has been made to implement early childhood and family-based prevention strategies, which are known to be effective in reducing some of the most widespread and lethal forms of violence against children in the family and in the community. Also, few examples of programmes which explicitly address risk factors and their influence on the safety and well-being of children were provided.

63. The absence of systematic data collection systems and the lack of reliable information on violence against children and its root causes remain serious obstacles to effective measures to prevent and respond to violence. Despite the significant contribution of violence against children as a cause of death (especially among 15-18-year-old males), still less than half the world's population is covered by adequate death registration and cause-of-death classification systems.[73] Poor birth registration is also an obstacle.

64. While some progress is evident in areas such as violence in educational settings, trafficking, commercial sexual exploitation and some forms of child labour, with a number of actions reported by member States and international organizations, little evidence was provided with regard to progress in addressing violence in the home and family, violence in care and justice institutions or violence perpetrated by State agents and gangs. There is increasing awareness of emerging issues, such as violence related to new technologies, notably the Internet and mobile telephones; however, responses are not proportionate to the speed at which the problem is growing.

65. Further efforts are needed to provide training to professionals and staff who interact with children, particularly in the health, education, justice and social welfare sectors. The independent expert is also concerned about both the quality and the short-term orientation of much training and at its lack of effectiveness where issues such as working conditions and systematic supervision are ignored.

66. Recovery and social reintegration services require much-strengthened support. There is also an apparent shortage of investment in health systems to treat the physical and psychological impact on children of violence, including through improved staff training and the organization of pre-hospital and emergency medical services.

67. In spite of the plethora of initiatives undertaken in the very brief follow-up period, which is per se very encouraging, the above-mentioned challenges remain. Many Governments and organizations are committed, but lack technical support; others still have not fully taken on board the urgency of the

[73] "Ten statistical highlights in global public health", highlight number 5, "Levels and causes of death: filling data gaps" at www.who.int/whosis/whostat2007_10highlights.pdf.

tasks facing them, or face significant internal opposition to some of the recommended courses of action. There is also a risk of a piecemeal approach and inconsistent results if sufficient leadership and coordination are not garnered.

VI. Recommendations

68. The study recommendations offer the most comprehensive framework for the protection of children from all forms of violence. They should remain as a central reference for international, regional and national efforts to protect children from violence.

69. The 12 overarching recommendations made by the study maintain their decisive relevance and should be further pursued as a matter of urgency. The independent expert reaffirms his appeal for their effective implementation together with the accompanying setting-specific recommendations covering actions needed to eliminate violence against children in the home and family, schools and other educational settings, care and justice systems, the workplace and the community.

70. At the national level, important steps in the implementation of the study recommendations are represented by the appointment of focal points with the necessary resources to coordinate intersectoral planning and implementation. National efforts must also be supported by external actors, such as development agencies, bilateral aid agencies and donors. Mainstreaming children's rights and the protection of children from violence into United Nations country team programming and planning efforts, including poverty reduction strategies, the Common Country Assessment and the United Nations Development Assistance Framework is also important for the implementation of the study recommendations at the national level. The continuing participation of civil society and children themselves is also a crucial element for success.

71. At the regional level, support to regional organizations and steering committees created during the study process will be essential in order to ensure adequate follow-up. The work of regional organizations remains essential for identifying specific challenges and policies to prevent and respond to violence in the context of regional specificities, to promote cross-fertilization of experience and to mobilize political support for the implementation of the recommendations.

72. At the international level, building upon the specific agendas and areas of specialization of development agencies, bilateral institutions and donors, strong synergies should be further promoted. The independent expert believes that better coordination will prevent the fragmentation of efforts and lessen the burden on all participating partners. It will also facilitate more systematic attention and resource allocation, not least for the benefit of hitherto neglected areas.

73. Leadership is intimately related to coordination. Given the plethora of partners who have something to contribute in addressing violence against children, it is difficult to coordinate a clear, coherent and consistent focus on

the overall vision laid out in the study recommendations. As in national efforts, a high-level focal point is necessary at the international level to help maintain the visibility of efforts to protect children, to sustain the commitment of the various actors engaged in the study process and to ensure that the voices of children are not lost or ignored as other partners get on with their work.

74. **In view of this, the independent expert remains convinced that effective action to end violence against children requires high-level leadership. Following consultations with a wide range of actors (including Member States, United Nations agencies and mechanisms, NGOs and civil society) during the initial follow-up period to the study, he remains convinced that the appointment of a special representative of the Secretary-General on violence against children is the best strategy for ensuring effective implementation of the study, addressing gaps and fragmentation in the existing response and maintaining sustained attention to violence against children.**

75. **The independent expert therefore recommends that the General Assembly, at its sixty-second session, request the Secretary-General to appoint a special representative on violence against children for a period of four years. The primary role of the special representative will be to act as a high-profile advocate to promote the prevention and elimination of all violence against children, including through encouraging international and regional cooperation. The primary elements of the special representative's mandate should be:**

(a) **To provide leadership and raise awareness about violence against children before United Nations bodies, regional organizations, Member States, civil society and the media, promoting the broad engagement of key actors concerned with violence against children and acting as a catalyst to stimulate the commitment of Member States and of broader society to prevent and respond to violence against children;**

(b) **To support the implementation of the study recommendations at the national, regional and international levels and assess the progress achieved, through direct interaction with Member States and engagement with regional organizations, and United Nations organizations, and by mobilizing the involvement of civil society, including NGOs, children and young people;**

(c) **To identify and share good practices to prevent and respond to violence against children, between States and across regions, and assist in efforts to develop more comprehensive and systematic data collection on violence against children in order to enhance the existing knowledge base about the nature and scope of violence against children and more effectively measure progress;**

(d) **To promote effective coordination and communication among key actors within the United Nations system, by convening the interagency group formed for follow-up to the study and by working closely with key agencies and bodies, including ILO, OHCHR, UNESCO, UNICEF, UNODC, WHO and relevant human rights mechanisms, to ensure the effective flow of information and multi-disciplinary cooperation, and to avoid unnecessary duplication.**

76. **The special representative should submit annual reports to the United Nations General Assembly on progress made in implementing the study**

recommendations and, as appropriate, report to the Human Rights Council, the Executive Board of UNICEF, the International Labour Conference, the World Health Assembly and other relevant forums.

77. **The special representative should collaborate with the Human Rights Council and its mechanisms, and with the human rights treaty bodies, in particular the Committee on the Rights of the Child.**

78. **The special representative should continue the effective and mutually supportive collaboration with NGOs, children and young people established during the study process and work to maintain and enhance the involvement of children and young people in actions to prevent and respond to violence against children.**

United Nations A/62/210

General Assembly

Distr.: General
6 August 2007
English
Original: Arabic/English/
French/Spanish

Sixty-second session
Item 54 (a) of the provisional agenda*
Macroeconomic policy questions: international trade and development

Unilateral economic measures as a means of political and economic coercion against developing countries

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 60/185, entitled "Unilateral economic measures as a means of political and economic coercion against developing countries". In accordance with that resolution, the Secretary-General invited the Governments of all States to provide their views or any other relevant information on the issue of unilateral economic measures as a means of political and economic coercion against developing countries. The texts of the replies received from Belarus, Benin, Colombia, Cuba, Egypt, Myanmar, Qatar, Ukraine and Zimbabwe are reproduced in annex I of the report. In addition, relevant organizations, programmes and agencies inside and outside the United Nations system were invited to provide information concerning developments in the subject area. The texts of the replies received from the Economic and Social Commission for Asia and the Pacific, the Economic and Social Commission for Western Asia and the Organization for Economic Cooperation and Development are reproduced in annex II. Information regarding the application and impact of unilateral economic measures imposed on Cuba, the Democratic People's Republic of Korea, Lebanon, Myanmar, the Occupied Palestinian Territory, the Syrian Arab Republic and Zimbabwe are reported in the submissions reproduced in annexes I and II.

* A/62/150.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 60/185, entitled "Unilateral economic measures as a means of political and economic coercion against developing countries". In that resolution, the Assembly, inter alia, urged the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries that were not authorized by relevant organs of the United Nations or were inconsistent with the principles of international law as set forth in the Charter of the United Nations and that contravened the basic principles of the multilateral trading system.

2. In the same resolution, the General Assembly requested the Secretary-General to continue to monitor the imposition of measures of that nature and to study the impact of such measures on the affected countries, including the impact on trade and development, and to report to the Assembly at its sixty-second session on the implementation of the resolution.

3. Accordingly, the Secretariat, in a note verbale dated 20 May 2007, invited the Governments of all States to provide their views or any other relevant information regarding the existence of any unilateral sanctions and the impact they may have had on their trade and development. As at 31 July 2007, replies had been received from the following Member States: Belarus, Benin, Colombia, Cuba, Egypt, Myanmar, Qatar, Ukraine and Zimbabwe. The replies are reproduced in annex I to the present report.

4. In addition, relevant organizations, programmes and agencies inside and outside the United Nations system were also invited to provide information and analyses concerning recent developments in the subject area. The replies received from two United Nations bodies and the Organization for Economic Cooperation and Development are reproduced in annex II to the report.

II. Summary of replies received from Member States, United Nations bodies and other international organizations

5. Member States that responded to the Secretary-General's request for views and relevant information on the issue of unilateral economic measures as a means of political and economic coercion against developing countries have expressed disagreement with such practices. Unilateral economic measures were viewed as actions that are contrary to the principles of the Charter of the United Nations, the norms of international law and the rules-based multilateral trading system embodied in the agreements of the World Trade Organization. Several replies made reference to paragraph 5 of the Doha Declaration of the Heads of State and Government of the Member Countries of the Group of 77 and China at the Second South Summit held in June 2005 which, inter alia, called on the international community to eliminate the use of unilateral coercive economic measures against developing countries.[1] The Organization for Economic Cooperation and Development expressed the view that such measures should be used only as a last resort and their application should be consistent with international law.

[1] A/60/111, annex I.

6. Several replies described unilateral coercive economic measures taken against some developing countries and their adverse impacts on the economies of those countries. Cuba reports to have been the victim of 47 years of United States unilateral economic sanctions that continue to constrain the country's commercial and financial transactions with trading partners, cultural exchanges and tourism.

7. The Economic and Social Commission for Asia and the Pacific reported on the application and impact of unilateral coercive economic measures against the Democratic People's Republic of Korea and Myanmar. Trade and investment restrictions imposed on the Democratic People's Republic of Korea by the United States since the 1950s, and modified numerous times since then, have adversely affected activities necessary for economic growth and development. In Myanmar, coercive economic measures comprised restrictions on trade and investment and targeted sanctions imposed by the European Union starting in 1996, and by the United States in 1997, and regularly renewed by both since then.

8. The Economic and Social Commission for Western Asia reported that in Lebanon, a 56-day blockade imposed by Israel during the conflict in July and August 2006 caused severe drops in the trade in merchandise, supply shortages of retail goods, higher inflation and other disruptions in the economy. The Commission also presented details of economic decline in the Occupied Palestinian Territory that was attributed mainly to a boycott of the Hamas-led Palestinian Authority by the European Union, Israel, the United States and other countries, after a Hamas cabinet was formed in March 2006 following parliamentary elections in January of that year. Trade sanctions imposed on the Syrian Arab Republic by the United States in May 2004 reportedly continued to take effect in 2006 by restricting imports of merchandise from the United States.

9. Zimbabwe also indicated it had been the victim of sanctions imposed by the European Union, the United States and other countries. The United States sanctions originated in national legislation entitled the Zimbabwe Democracy and Economic Recovery Act of 2001 which, Zimbabwe maintained, had severely curtailed that country's access to international markets and financial support from international institutions. Zimbabwe further claimed that the European Union targeted sanctions resulted in the suspension of development assistance funds that affected financing of programmes in health, education, the environment and rural development.

Annex I

Replies received from Member States

Belarus

[Original: English]
[29 June 2007]

The Republic of Belarus does not practise and condemns unilateral economic measures as a means of political and economic coercion against developing countries; and supports the United Nations efforts to eliminate the practice.

Benin

[Original: French]
[2 July 2007]

1. Benin firmly opposes the imposition of unilateral coercive measures as a means of exerting political and economic pressure on developing countries.

2. It cannot associate itself with the extraterritorial application of national laws adopted in order to impose regime change in another country. Such laws hinder dialogue in the spirit of the Charter of the United Nations and the principles governing the maintenance of good relations among States.

3. It calls for the lifting of all unilaterally imposed coercive economic measures.

4. Benin maintains friendly relations with all States and believes that every State should be able to participate fully in international life and benefit from the same facilities as all other States, in line with international law and universal human rights values.

Colombia

[Original: Spanish]
[6 June 2007]

1. The Colombian Government, in accordance with the principles enshrined in the Charter of the United Nations, has not promulgated or unilaterally applied any laws or measures against Cuba or any other Member State, since provisions of this type could undermine the free development of its economy or trade and could limit cultural and intellectual activities among Member States.

2. Colombia believes that measures of this type should cease and that Member States should build relations of friendship based on respect for the self-determination of peoples. This position is based on the principles enshrined in Article 1 of the Charter of the United Nations, which are aimed at strengthening universal peace.

Cuba

[Original: Spanish]
[26 June 2007]

1. Cuba vigorously and unequivocally opposes any action, on the part of any State, aimed at using or encouraging the use of unilateral economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights. Such actions constitute a flagrant violation of the principles of international law as set forth in the Charter of the United Nations, as well as the basic principles of the multilateral trading system.

2. Despite the General Assembly's repeated expressions of opposition to these practices, unilateral economic sanctions of a coercive nature continue to be openly applied by a number of industrialized Powers, particularly the Government of the United States of America.

3. For more than 47 years the Cuban people have been victims of unilateral economic measures that have limited their development opportunities. The embargo policy imposed and strengthened by 10 United States Administrations is a concrete example of such measures, whose repercussions have had serious negative effects on all spheres of the country's life. Contrary to the express will of the international community, the authorities in Washington have adopted new economic sanctions; stepped up their interference with Cuba's international commercial and financial transactions, including its payments to United Nations entities; stolen trademarks and more of the Cuban funds frozen in the United States, amounting to millions of dollars; and taken harsher reprisals against entities and individuals that trade with the island or engage in cultural exchanges or tourism there.

4. The implementation of the Bush plan for the annexation of Cuba, including the measures contained in the updated version of July 2006, has worsened the impact and the extraterritorial effects of the embargo sanctions against Cuba, maximizing the negative impact of the Torricelli and Helms-Burton Acts.

5. In December 2006 the management of Norway's Hotel Scandic, which belongs to the United States-based Hilton hotel chain, refused to provide accommodation to the Cuban delegation that was to attend the International Tourism Fair in that country in January 2007. The decision was taken pursuant to the provisions of the United States embargo against Cuba.

6. A Cuban company was unable to order Plateau herbicide, for agricultural use, directly from the German firm BASF because the herbicide's active ingredient is of United States origin and cannot be sold to Cuba, either from Germany or from the firm's subsidiaries in Latin America.

7. The international community cannot turn a blind eye to the risks generated by the proliferation of unilateral coercive economic measures with a strong extraterritorial dimension. Cuba once again denounces the implementation of such measures, which are intended to undermine the independence, sovereignty and right to self-determination of peoples.

8. Cuba trusts that the international community will continue to condemn these practices until they have been completely eradicated.

Egypt

[Original: English]
[20 June 2007]

Egypt's consistent view is that unilateral sanctions outside the United Nations framework are not a course of action that Egypt can condone.

Myanmar

[Original: English]
[2 July 2007]

1. Myanmar supports General Assembly resolution 60/185, entitled "Unilateral economic measures as a means of political and economic coercion against developing countries".

2. The Union of Myanmar strongly believes that the promulgation and application by Member States of laws and regulations, the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation, violate both the spirit and letter of the Charter of the United Nations and the universally adopted principles of international law. Hence, Myanmar opposes the use or encouragement of the use by any State of unilateral economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights.

3. Having such a view, the Union of Myanmar has not promulgated any laws and regulations of the kind that are against the basic principles of the multilateral trading system.

Qatar

[Original: Arabic]
[20 June 2007]

1. The State of Qatar does not agree to the adoption of legislation outside the jurisdiction of any State relating to the application of unilateral coercive economic measures against developing countries, as that is inconsistent with the principles of international law as set forth in the Charter of the United Nations. Moreover, unilateral coercive measures have a damaging effect on the prospects for economic development in the developing countries, as they distort trade and investment flows, violate the sovereignty of States, their legitimate interests and human rights and have a long-term negative impact on development efforts in developing countries.

2. The State of Qatar stands with the overwhelming majority of the international community, which has refused to acknowledge the right of any State to legislate outside its jurisdiction for the purpose of the application of coercive economic measures against any other State, through the adoption by the United Nations General Assembly by an overwhelming majority of its resolution 60/185 dated 31 January 2006 and entitled "Unilateral economic measures as a means of political and economic coercion against developing countries".

3. Moreover, paragraph 5 of the Doha Declaration adopted at the Second South Summit on 16 June 2005 stipulates the following: "We firmly reject the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions against developing countries".

4. The State of Qatar, which had the honour to host the Second South Summit, rejects all forms of unilateral economic measures described in the General Assembly resolution as means of political and economic coercion against developing countries and has taken measures to prevent the application of or compliance with such measures.

Ukraine

[Original: English]
[25 June 2007]

1. I would like to inform you that Ukraine does not have any legislation or regulations which support unilateral economic measures as a means of political and economic coercion against developing countries.

2. Equally, the Government of Ukraine docs not accept the use of economic measures as a means of achieving political aims and upholds, in its relations with countries, the fundamental principles of the Charter of the United Nations, the norms of international law and the freedom of trade and navigation.

Zimbabwe

[Original: English]
[24 July 2007]

1. Zimbabwe has always been opposed to the passing of national laws and regulations that have extraterritorial impact, including all other coercive economic measures and unilateral sanctions which are targeted mainly at developing countries that seek to reassert their sovereignty. At the Second South Summit, held in Doha in 2005, the Heads of State rejected the passing of such laws. Zimbabwe has itself been a victim of such practices. In 2001, the United States Government passed the Zimbabwe Democracy and Economic Recovery Act which, in effect, curtailed the country's access to markets and blocked international financial institutions from providing financial assistance and balance-of-payment support to the country. That meant that the country could no longer embark on any meaningful capital projects because inflows towards technical assistance and infrastructural development to both Government and private sectors ceased.

2. The European Union's so-called smart sanctions have similarly limited Zimbabwe's market access and almost destroyed the country's vibrant tourism sector. The European Union suspended access to the "A" envelope of the European Development Fund and that has negatively affected the education, health, agriculture, environment and rural development programmes which benefited from the envelope before.

3. The withdrawal of the multilateral financial institutions from providing balance-of-payment support has also deterred some bilateral creditors and donors

who have had to scale down or suspend disbursements of existing loans to Government and parastatals. Prior to the imposition of sanctions, whether declared or undeclared, instigated and driven at an international level by the British Government, Zimbabwe had an impeccable record of prompt debt servicing and was highly rated in the international financial markets. The capital account, traditionally a surplus account, has been in deficit since 2000, thus depriving Zimbabwe of much needed foreign direct investment. Foreign direct investment declined from $444.3 million in 1998 to $50 million in 2006.

4. Sanctions have affected the image of the country through negative perceptions by some sectors of the international community leading to a low credit rating and difficulties in accessing lines of credit by Zimbabwean companies, which now have to pay cash up front for their imports. That has also been worsened by the negative publicity by the mainstream western media about the country.

5. The protracted foreign currency shortages that the country has been facing since 2000 have crippled the operations of industry, which heavily rely on imported inputs for their daily operations. That has lead to a reduction of exports due to low levels of production which have also resulted in high retrenchments and increased unemployment levels. In addition, the foreign currency shortages have severely constrained the country's capacity to meet its foreign payment obligations and to finance critical imports such as drugs, grain, fuel and electricity.

6. The declared and undeclared sanctions imposed on Zimbabwe have had social and economic effects on Zimbabwe's key economic sectors and have adversely affected vulnerable groups much more than anyone else. Significant progress in the country had been made in the development of infrastructure, education, health and social welfare delivery systems, all of which have lost out in terms of the financial and technical support they were given, particularly by the Nordic countries.

7. All that is happening against the background of a devastating HIV/AIDS pandemic which, on its own, requires huge sums of money for a sustained advocacy campaign for prevention, purchasing of anti-retrovirals and caring for orphans. Added to that, there are challenges posed by other perennial diseases such as tuberculosis and malaria. Owing to the sanctions in place, international assistance to HIV/AIDS programmes has been minimal. In addition, Zimbabwe has experienced successive years of droughts since 2000. Owing to the sanctions, no significant international assistance has been availed to the country either for humanitarian assistance or recovery, compared to what has been availed to other countries in the region.

8. In the end, sanctions have caused the decline in the key sectors of the economy, which has resulted in reduced trade levels, high unemployment, loss of skilled labour for key sectors in other countries and deteriorating standards of living for the majority of the people.

9. It is noteworthy that the economic coercive measures were imposed on Zimbabwe by developed countries after it chose, in exercise of its sovereign right and acting within its own laws, to embark on a land reform programme that redistributed land to the majority of its citizens with the sole aim of empowering them to realize sustainable livelihoods. The countries concerned knew the vulnerability of Zimbabwe as a developing country and sought to deliberately get Zimbabwe to comply with their political demands based on their own value systems.

President Bush, referring to the Zimbabwe Democracy and Recovery Act upon its signing, also said "Section 4 of the Act purports to direct the executive branch to oppose and vote against the extension of loans or the cancellation of debt in international financial institutions unless and until I make a certification of national interest determination". President Bush clearly had in mind the national interest of his own country and not those of the people of Zimbabwe.

Annex II

Replies received from United Nations bodies and other international organizations

Economic and Social Commission for Asia and the Pacific

1. In Asia and the Pacific, unilateral coercive economic measures are applied against Myanmar by a number of countries. Most of those measures focus on import bans, restrictions on investment and travel restrictions. It is hard to assess the impact of economic sanctions as a result of a lack of verifiable data. With regard to investment restrictions, foreign investments in Myanmar concentrate on natural resource extraction, which has very few trickle-down effects in terms of creating employment and small business opportunities within the overall economy. Myanmar remains a very poor country and as a result of sanctions it fails to benefit from the economic success and the creation of value added industries that would enable it to increase earnings from exports, as numerous other countries of the Association of Southeast Asian Nations, of which it is also a member, have experienced. Association of Southeast Asian Nations countries continue to rely on the United States and the European Union for their exports.

2. The Democratic People's Republic of Korea is also subject to unilateral economic sanctions applied by a number of countries. Normally, food items and other non-luxury goods are exempt, but sanctions prevent the normal development of trade and investment which are fundamental to economic growth and development and, hence, the Democratic People's Republic of Korea will continue to depend on foreign aid for its economic development.

3. In both cases the fact that economic measures are applied unilaterally, and not multilaterally, may undermine their stated objectives.

Economic and Social Commission for Western Asia

Occupied Palestinian Territory

1. The Occupied Palestinian Territory experienced economic decline owing to the boycott imposed by many countries on the Hamas-led Palestinian Authority. The Hamas-led Palestinian cabinet, formed in March 2006, was boycotted by Israel, the United States, the European Union and other countries over political disagreements with Hamas. The boycott involved the cutting of aid, contacts and economic cooperation programmes. Real gross domestic product contracted by an estimated 10 per cent in 2006 and 4.2 per cent in the first quarter of 2007, compared with the fourth quarter of 2006[a] (see chart). The Palestinian Authority is the major provider of services inside the Occupied Palestinian Territory. Almost two thirds of the Palestinian Authority's revenues come from taxes (the largest share of those taxes are collected by Israel on imports destined to the Occupied Territories) and another one third from budgetary aid. The Government of Israel has suspended the payment of the tax revenues allocated to the Palestinian Authority since March 2006. Donors

[a] Palestinian Central Bureau of Statistics, *Preliminary Estimates of Quarterly National Accounts*, 1st quarter 2007 (www.pcbs.gov.ps).

have also channelled their funds away from the Government and from development projects. It is estimated that financial revenues and aid received by the Government fell by one third in 2006.[b] As a result of that development, Government consumption and investment dropped significantly in 2006. It is estimated that Government employees, constituting 22.6 per cent of the labour force in the Occupied Palestinian Territory in 2006,[c] received around 50 to 55 per cent only of their wages in 2006.[d] The productivity of public employees declined tremendously. Shortages in medical staff and supplies were faced. The majority of public schools were totally or partially closed and an estimated 70 per cent of students were affected by the closure.[e] Despite humanitarian aid disbursement, which continued through private channels, deep poverty is estimated to have increased from 17.3 per cent of the population in 2005 to 27.5 per cent in the first half of 2006.[f] Trade in 2006 also declined, particularly exports from the Occupied Palestinian Territory to Israel, which are estimated to have declined by around 10 per cent in real terms.[g]

Source: Palestinian Central Bureau of Statistics, http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/TOTAL%20PressQ1-0%20_E%20_PDF.pdf.

Lebanon

2. In the July and August 2006 war on Lebanon, Israel imposed an overall blockade which directly hampered trade for 56 days. The direct costs are manifested by severe drops in the value of exports of 34.7 per cent and 72.94 per cent in July and August 2006, respectively.[h] Similarly, imports declined by 32.04 per cent and

[b] See IMF and World Bank, "West Bank and Gaza: economic developments in 2006: a first assessment" (March 2007).

[c] Palestinian Central Bureau of Statistics, *Labor Survey*, 3rd quarter 2006.

[d] See IMF and World Bank, loc. cit.

[e] UNICEF, "Six months without pay spark teachers' strike in Gaza and West Bank", New York, 5 September 2006.

[f] Office for the Coordination of Humanitarian Affairs, "Prolonged crisis in the Occupied Palestinian Territory: recent socio-economic impacts on refugees and non-refugees", 22 November 2006 (www.reliefweb.int).

[g] See IMF and World Bank, loc. cit.

[h] See Banque du Liban, *Quarterly Bulletin*, 3rd quarter 2006.

67.82 per cent on a monthly basis in July and August 2006, respectively.[i] The blockade caused delays in shipments, additional storage costs and shortages in supplies, which were reflected in higher prices of retail products. The inflation rate increased to 6.8 per cent in the second half of 2006.[j]

Syrian Arab Republic

3. The trade sanctions implemented by the United States against the Syrian Arab Republic in May 2004 continued to affect the country in 2006. Those sanctions mainly prohibit the export of United States products to the Syrian Arab Republic, except for food and medicine. Between 2004 and 2006, the European Union remained the largest trade partner of the Syrian Arab Republic.[k] In 2005, imports to the Syrian Arab Republic from the United States, which constituted 2.3 per cent of total imports, dropped by 14.75 per cent.[l]

Organization for Economic Cooperation and Development

The Organization for Economic Cooperation and Development (OECD) does not track information on unilateral coercive economic measures taken against any country. OECD engagement in the area stems from its strong belief in and support for multilateralism and the rule of law. OECD exhorts all countries, developed and developing, to use economic measures only as a last resort and in keeping with the principles of international law as laid down in the Charter of the United Nations and with the principles of the multilateral trading system as embodied in the agreements of the World Trade Organization.

[i] Ibid.

[j] Central Administration for Statistics, *Consumer Price Index* (www.cas.gov.lb).

[k] See data in the Central Bank of Syria, *Quarterly Bulletin 2006*, No. 44/3 (2006).

[l] See ibid.